

EXHIBIT NO. 1

4
5-20-06

Docket Item #3
SPECIAL USE PERMIT # 2006-0015

Planning Commission Meeting
May 4, 2006

ISSUE: Consideration of a request for a special use permit to expand an existing private academic school into an adjacent space.

APPLICANT: Learning Foundations of Metropolitan Washington Inc. d/b/a
Commonwealth Academy
by Duncan Blair, attorney

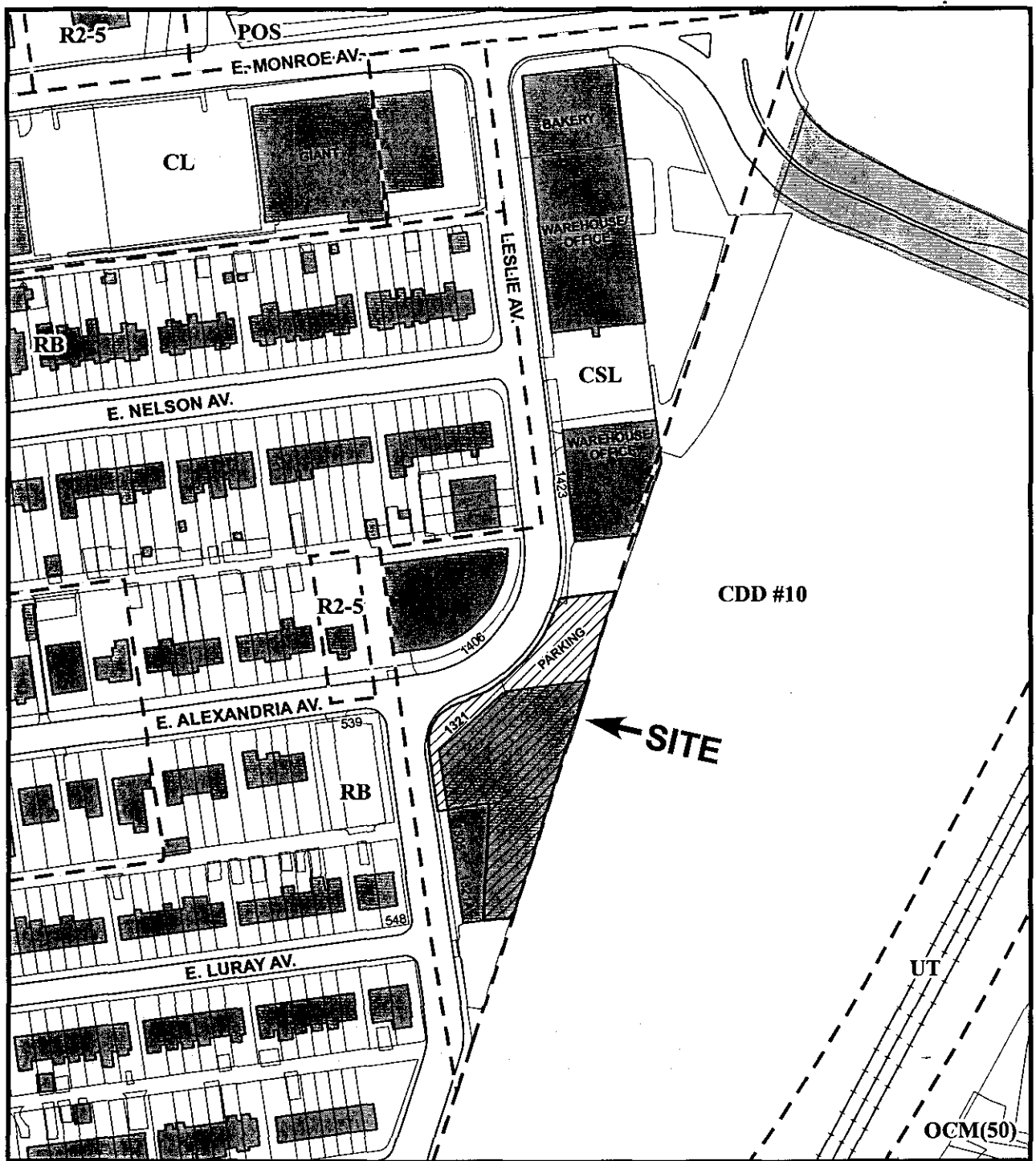
LOCATION: 1321 Leslie Ave

ZONE: CSL/Commercial Service Low

PLANNING COMMISSION ACTION, MAY 4, 2006: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



SUP #2006-0015

05/04/06



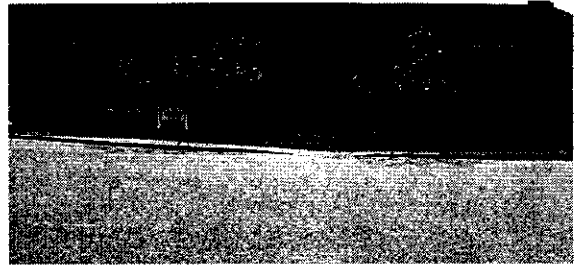
I. DISCUSSION

REQUEST

The applicant, Learning Foundations of Metropolitan Washington, Inc. (d/b/a Commonwealth Academy), requests special use permit approval to expand the existing private academic school by an additional 5,000 square feet of floor area.

SITE DESCRIPTION

The subject property is one lot of record with approximately 283 feet of frontage on Leslie Avenue and a total lot area of 24,043 square feet. The site is developed with a single-story Art Deco masonry commercial/industrial building. The building shares a wall with a commercial/industrial business of the same design on the adjacent lot to the south. The proposed school space will be approximately 19,000 square feet.



Surrounding uses are primarily residential to the west, commercial uses to the north along Leslie Avenue and the railroad tracks to the east.

BACKGROUND

The Commonwealth Academy is an independent, non-profit, coeducational, academic middle and secondary school licensed by the State of Virginia. On November 17, 2001, City Council granted Special Use Permit #2001-0093 for the operation of a private school. On March 21, 2006, staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit. Staff found no violations of the special use permit.

PROPOSAL

The applicant has filed for a special use permit application to increase enrollment from the currently approved 100 students to a proposed 150 students. The applicant also requests approval to increase the floor area of the use by expanding into an adjacent space within the 1321 Leslie Avenue location, ultimately increasing the floor area from the current 14,000 square feet to the proposed 19,000 square feet. The applicant proposes to use the additional floor area for additional classrooms, offices, a multi-purpose room, and restroom facilities. The applicant anticipates that the school's faculty and staff will increase by seven people as a result of the proposed expansion and increased enrollment. The applicant describes the private school's operation as the following:

Hours:	Monday through Friday 7:00am-5:00pm
Number of students:	150
Noise:	Not to exceed noise levels permitted by Alexandria City Code of Ordinances.
Trash/Litter:	Trash and recyclable materials stored in bins inside the school, collected a minimum of three times per week. Staff and students will monitor and pickup litter on the school grounds daily.
Hazardous Materials:	The applicant proposes three science labs where hazardous materials will be used. The applicant will comply with the City of Alexandria's Code of Ordinances regarding the use and storage of hazardous materials.
Deliveries:	The applicant will receive deliveries of supplies approximately three to five times per week in the front of the building, during regular business hours.

PARKING AND LOADING/ UNLOADING

According to Section 8-200(A)(11) of the Zoning Ordinance, a middle school requires one parking space for every 25 seats and a high school requires one parking space for every ten seats. Therefore, a private academic school with 100 high school students and 50 middle school students requires 12 parking spaces.

The neighborhood surrounding the proposed use is within Permit Parking District No. 6 and although parking is permitted on the streets within the district, it is restricted for non- residents who may park a maximum of two and three hour limits for non-residents.

Condition #3 of the SUP requires conformance with a Transportation Management Plan that includes a staggered arrival and departure schedule for students, the use of a School Transportation Coordinator, and only use small and public buses to transport students to and from school. The applicant has indicated to staff that they will continue coordinating and promoting car pooling among parents and students.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CSL/Commercial Service Low zone. Section 4-303(V) of the Zoning Ordinance allows a private academic school in the CSL zone only with a special use permit.

The proposed use is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for CSL/Commercial Service Low use.

II. STAFF ANALYSIS

Staff supports the proposed expansion of a private school located at 1321 Leslie Avenue. The school use is compatible with the adjacent commercial uses along Leslie Avenue, and the school expansion is not expected to negatively impact the adjacent neighborhood. The private school will continue to provide education to students within the City of Alexandria and surrounding cities and counties.

Since the approval by City Council of SUP#2001-0093, staff is not aware of any complaints or violations regarding the use at the current location. Since the approval of the current special use permit, the applicant has worked with staff to upgrade the property significantly from its previous physical condition.

Staff is not aware of any parking problems within the neighborhood regarding the private school use. The applicant proposes to continue staggered arriving and departure times for students, in order to reduce traffic impacts within the neighborhood. The applicant also wishes to continue maintaining condition #3 of this report which requires the applicant to conform to the submitted Transportation Management Plan (see attachment).

Staff is pleased with the positive relationship that the applicant has established within the community. As indicated within condition #15, the applicant will continue to set up meetings with the affected neighbors in order to seek solutions to neighborhood issues regarding the operation of the school.

In order to continue reducing the likelihood of congestion for the neighborhood during the morning and afternoon drop off/pick up hours, staff maintains condition #3 which requires the applicant to conform to the submitted Transportation Management Plan(see attachment). Should the intensity of the school and its traffic change significantly in the future, the applicant would require an amendment to the special use permit.

During a site visit to the property, staff found that the existing landscaping was well maintained. However, staff found an opportunity for the applicant to plant five additional ornamental or deciduous trees along the west side of the property. That would greatly enhance this frontage of the property. Staff has included a condition to this effect.

With the following conditions, staff recommends approval of the special use permit.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)(SUP2001-0093)
2. **CONDITION AMENDED BY STAFF:** The maximum student enrollment shall not exceed ~~100~~ 150 students. (P&Z)(SUP2001-0093)
3. **CONDITION MAINTAINED BY STAFF:** The applicant shall conform its operation generally to the elements of the Traffic Summary and Transportation Management Plan, dated September 28, 2001, filed as part of the application, which includes, without limitation: (a) staggered arrival and departure times for students; (b) the use of a School Transportation Coordinator to assist with traffic management when students are arriving and leaving the premises; (c) no use of buses to transport students to and from school, except those small, public buses bringing students from public school as described in the application; and (d) coordinating and promoting car pooling among parents and students. (P&Z)(T&ES)(SUP2001-0093)
4. **CONDITION AMENDED BY STAFF:** The applicant shall ~~create a~~ maintain the loading/unloading zone for buses and vehicles on Leslie Avenue adjacent to the main entrance to the building for arriving and departing students and shall work with the Department of Transportation and Environmental Services and the Traffic and Parking Board to implement the change in parking. (T&ES) (P&Z)(SUP2001-0093)
5. **CONDITION AMENDED BY STAFF:** ~~In the event the Monroe Avenue bridge is realigned, and alternative routes for school bus and vehicle traffic is available, the applicant shall redirect users to those alternative routes and work with the Departments of Planning and Zoning and Transportation and Environmental Services to establish the new routes. (P&Z)(SUP2001-0093)~~
The applicant shall coordinate with the Departments of Planning & Zoning and Transportation & Environmental Services on the means to notify users of alternate routes in conjunction with the realignment of the Monroe Avenue Bridge. (T&ES) (P&Z)

6. **CONDITION AMENDED BY STAFF:** The applicant shall ~~upgrade~~ maintain the building and the site, including landscaping and facade treatment, generally consistent with the conceptual drawings provided as part of the application, to the satisfaction of the Director of Planning and Zoning. (P&Z)(SUP2001-0093)
7. **CONDITION DELETED BY STAFF** ~~The applicant shall remove the concrete slabs, and repair and stripe the parking lot to the satisfaction of the Director of the Department of Transportation and Environmental Services. (T&ES)(SUP2001-0093)~~
8. **CONDITION DELETED BY STAFF** ~~The applicant shall remove the existing chain link fence on the Leslie Avenue frontage which is in disrepair. The fence shall be replaced with a low decorative wall, a screening hedge or other fencing to the satisfaction of Planning and Zoning and Transportation and Environmental Services. (P&Z)(T&ES)~~
9. **CONDITION DELETED BY STAFF** ~~The applicant shall remove the southern driveway apron and replace it with city standard curb and gutter and sidewalk. (T&ES)(SUP2001-0093)~~
10. There shall be no outdoor storage on site. (P&Z)(SUP2001-0093)
11. The applicant shall provide site lighting in the parking lot to meet minimum city standards. Lighting shall be shielded to prevent excessive spillover and glare onto adjacent residential properties. (T&ES)(SUP2001-0093)
12. **CONDITION AMENDED BY STAFF:** ~~The use of outside speakers shall be prohibited~~ All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES)(SUP2001-0093)
13. **CONDITION AMENDED BY STAFF:** The applicant shall control odors, smoke, and any other air pollution from operations at the site associated with the science lab and photo processing operations and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)(SUP2001-0093)
14. The applicant shall consult with the Crime Prevention Unit of the Alexandria Police Department regarding a security survey and alarms for the school. The initial consultation is to be prior to the commencement of renovations to the building. (Police)(SUP2001-0093)

15. **CONDITION AMENDED BY STAFF:** The applicant shall ~~set up a mechanism by which it meets~~ continue meeting with affected neighbors to discuss and seek solutions and mutual understanding as to neighborhood issues regarding the operation of the school. (P&Z)(SUP2001-0093)
16. The applicant shall install a fire suppression system for this facility. (Code)(SUP2001-0093)
17. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit after it has been operational for one year and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community, (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)(SUP2001-0093)
18. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
19. **CONDITION ADDED BY STAFF:** The applicant shall install five ornamental or deciduous trees along the west side of the property. (P&Z) (RP&CA)
20. **CONDITION ADDED BY STAFF:** The current proposal indicates that hazardous materials will be handled, stored or generated on the property. Please discuss the type and nature of hazardous material been generated and provide the means and method of extraction and proper disposal of the waste. (T&ES)
21. **CONDITION ADDED BY STAFF:** The applicant shall maintain and provide all on-site parking as required by the proposed intensification of the existing use. (T&ES)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director;
James Hunt, Urban Planner.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

Carry forward previous conditions from SUP#2001-0093 with amendment of #12 as noted below:

- R-1 AMENDED CONDITION #12: All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line.
- R-2 The current proposal indicates that hazardous materials will be handled, stored or generated on the property. Please discuss the type and nature of hazardous material been generated and provide the means and method of extraction and proper disposal of the waste.
- R-3 (to dovetail with condition #5 of the Staff recommendations for SUP#2001-0093): The applicant shall coordinate with the Departments of Planning & Zoning and Transportation & Environmental Services on the means to notify users of alternate routes in conjunction with the realignment of the Monroe Avenue Bridge.
- R-5 The applicant shall maintain and provide all on-site parking as required by the proposed intensification of the existing use.
- C-1 The applicant shall comply with Alexandria's Noise Control Code, Chapter 11, Section 5 which sets the maximum permissible noise level measured at the property line.

Code Enforcement:

- F-1 The proposed project extends across an interior lot line dividing 1321 and 1321A Leslie Avenue. The design and use of the additional space shall comply with the fire separation requirements of the USBC.
- F-2 The expansion into the adjacent space may require a change of use.
- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).

- C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 Before a building permit can be issued on any proposed future alterations, a certification is required from the owner or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos (USBC 112.1.4).
- C-4 The developer shall provide a building code analysis with the following building code data on the plan: a) use group; b) number of stories; c) type of construction; d) floor area per floor ; e) fire protection plan.
- C-5 A revised fire prevention code permit is required for the proposed increase in operations.
- C-6 When a change of use requires a greater degree of structural strength, fire protection, exit facilities or sanitary provisions, a construction permit is required.
- C-7 Prior to the application for new Certificate of Occupancy, the applicant shall submit a building permit for a change of use. Drawings prepared by a licensed architect or professional engineer shall accompany the permit application. These plans shall show provide existing conditions, construction type data, and a plot plan. In addition, these plans shall show proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use in the area of structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities.
- C-8 A Certificate of Use of Occupancy is required prior to opening.
- C-9 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11.

Health Department:

- F-1 No Comment

Police Department:

- F-1 The Police Department has no objections to the expansion of the Commonwealth Academy by an additional 5,000 square feet of floor area.

**GOROVE/SLADE ASSOCIATES, INC.**

1140 Connecticut Avenue NW, Suite 700, Washington, DC 20036

TECHNICAL MEMORANDUM

TO: Melanie Kerber
Walter Howell III
Duncan Blair
Commonwealth Academy
Grubb & Ellis
Land, Clark, Carroll, Mendelson & Blair

FROM: Erwin N. Andres
Louis J. Slade, P.E.

DATE: September 28, 2001

SUBJECT: Commonwealth Academy Revised Traffic Summary

INTRODUCTION

This memorandum presents a summary of the traffic implications associated with the Commonwealth Academy and a transportation management plan that will be geared to addressing the impacts of this school project.

PROJECT DESCRIPTION

The Commonwealth Academy is proposing to relocate to Leslie Avenue in the Del Ray section of Alexandria. The maximum proposed student population that will be served at the proposed site consists of 100 students, with an initial population of 50 students projected when the school relocates in 2002, as planned. As part of the school's operations plan, the start and end times will be staggered for the upper and lower schools by half an hour. The upper school will start and end school at 7:45 AM and 3:00 PM, respectively. The lower school will start and end school at 8:15 AM and 3:30 PM, respectively. As a result, there will be two distinct time periods for morning arrivals and afternoon departures.

Based on the school population of 100 students, the vehicular trips that will be generated by the Commonwealth Academy were determined using the *6th Edition* of the Institute of Transportation Engineers' Trip Generation manual for private schools. This manual is a compilation of empirical studies of vehicle traffic generation for a comprehensive list of categories of land uses. This private school utilizes significant busing, carpooling, and public transportation and the trips presented in Table 1 reflect 20% busing and transit usage.

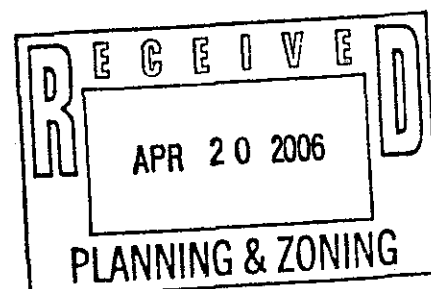


Table 1
Future Commonwealth Academy Trip Generation
For 100 students (with 20% busing)

	Inbound Trips	Outbound Trips	Total Trips
AM Peak Hour	44	26	70
PM Peak Hour	23	29	52

Because the school is proposing to implement a staggered arrival and dismissal program, the effective impact of the number of trips during the school peak hour is significantly reduced. The staggered arrival program will have a positive effect of basically reducing the peak arrival rate of 44 trips in one half-hour period to a rate of 22 trips each in two half-hour periods. Consequently, the impact associated with the morning carpool operations is the addition of an average of less than one vehicle per minute added to Leslie Avenue during the morning carpool operations. This increase in traffic is minimal and can be accommodated by the existing capacity of intersections and roadways along Leslie Avenue.

The afternoon carpool operations will have a similar effect due to the staggering of dismissals with the upper school dismissed at 3:00 PM and the lower school dismissed at 3:30.

VEHICLE STACKING CAPACITY

It is recommended that drop-off and pick-up operations occur curbside along the Leslie Avenue frontage of the school for school buses and private vehicles. Morning carpool operations operate very efficiently, with most unloading operations taking place, on average, 15 seconds or less. As a result, as parents begin to arrive at random patterns during the AM carpool periods, their vehicles will not occupy curbside space in front of the school for a long period of time. Consequently, there will not be a significant build-up of vehicles in front of the school because vehicles arriving to drop off students process very efficiently.

The entire frontage of the school property on Leslie Avenue consists of approximately 280 feet. This distance, if fully utilized, can accommodate up to 14 vehicles in front of the school at one time. Based on our experience with private schools, all of this frontage for either the morning or afternoon carpool operations will not be necessary. Based on our experience with other private schools, the maximum stacking needed for the front of this school is 8 vehicles, which can easily be accommodated.

However, to ensure that all of the loading and unloading operations occur safely and out of the Leslie Avenue travel lanes, it is recommended that the school request there be restricted parking in front of the school from 7:30 AM to 8:30 AM and from 2:45 PM to 3:45 PM, which corresponds to the peak AM and PM carpool operations periods.

BUS ROUTING PLAN

An important element of the transportation management of the school operations is the utilization of school buses to transport students to and from the Commonwealth Academy. Currently, 20 % of the school population is transported to and from the school via school buses.

The number of school buses projected to serve the Commonwealth Academy is at most, approximately eight buses during the AM peak hour. These buses will not arrive all at one time because these vehicles are traveling from neighboring jurisdictions. It is also important to note that these buses are small 12 passenger buses transporting one to three students, and not the large 50 person school buses.

In order to minimize the traffic impact of these buses on the surrounding community, the school proposes to implement a bus routing plan. This plan will be geared to route buses to the site directly. This plan will require buses to approach and depart the proposed school site on Leslie Avenue via the following prescribed routing plan as presented in Figure 1:

From Mount Vernon Avenue:

- Buses will turn left or right onto Luray Avenue, then turn left onto Leslie Avenue and proceed to the front of the school. Buses departing and headed to Mount Vernon Avenue will be required to proceed to Monroe Avenue and turn left onto Monroe to either turn right or left onto Mount Vernon Avenue.

From Route 1:

- Buses will be required to turn left or right onto Monroe Avenue and proceed to Dewitt Avenue. The buses will turn left onto Dewitt Avenue, turn left onto Luray Avenue and turn left onto Leslie Avenue to proceed to the front of the school. Buses departing and headed to Route 1 will be required to proceed to Monroe Avenue and turn right to access Route 1.

Commonwealth Academy
Alexandria, Virginia

Revised Traffic Summary
September 28, 2001



Figure 1
Bus Routing Plan

TRANSPORTATION MANAGEMENT PLAN

The Transportation Management Plan (TMP) for the Commonwealth Academy provides strict guidelines and policies for managing the following elements of the school transportation system:

- Access and Circulation
- Carpool Operations
- Parking Policies
- Delivery and Service Vehicles
- Overall Safety Considerations
- Enforcement and Community Coordination

The following sections present the specific guidelines for each component of the TMP.

Access and Circulation

- Access to the site will be provided via Leslie Avenue with drop-off and pick-up operations to occur curbside in front of the school.
- Drop-off and pick-up is allowed curbside to facilitate safe loading and unloading of student passengers on the right-hand side of the roadway. This practice will ensure safe carpool operations and limit the number of pedestrian crossings in front of the school.

Carpool Operations

- The Commonwealth Academy will provide a minimum of two staff members, whose primary responsibility is to manage the carpool operations in front of the school.
- A School Transportation Coordinator (STC) will be designated and responsible for implementing the school ridesharing promotions program to encourage more carpooling, for managing and monitoring the school carpool operations, and for overall transportation management at the school.
- The STC will promote carpooling by using address information to identify clusters of families that are close enough to each other to form a carpooling group. Once these groups are identified, the STC will contact the families to actively encourage these formations. The STC will stress the convenience factor and the traffic reduction impacts as benefits to carpooling.
- The STC will distribute school directories for parents to peruse to form their own carpooling groups. This process will be initiated prior to the school year and will be continued throughout the school year.

- The STC will also be responsible for reviewing the school's transit and busing policies on an annual basis to determine if additional measures can be implemented to promote either mode of transportation.
- The School property has approximately 280 feet of frontage along Leslie Avenue that can be utilized for pick-up and drop-off operations. This frontage could, if required to, accommodate up to approximately 14 vehicles in the front of the school at any one time.
- It is recommended that parking in front of the school be restricted from 7:30 AM - 8:30 AM and from 2:45 PM - 3:45 PM, which corresponds to the peak morning and afternoon carpool periods, in order to fully maximize the available frontage on Leslie Avenue. This parking restriction is recommended in conjunction with the use of traffic cones, which would be put in place by the STC prior to the identified time periods, to designate the area that will be managed as the student loading and unloading area for the school. Parents would be notified of the restricted parking area by the STC at the beginning of and throughout the school year.
- As the afternoon queue begins to develop, parents will have the option of waiting in their vehicles or to utilize a designated visitor parking area in the school's parking lot to park and walk in to pick up their children.

Parking Policies

- Adequate parking in the parking lot adjacent to the main school is provided to meet the projected daily parking demands of faculty/staff, parents and visitors driving to Commonwealth Academy. In addition, curbside parking in front of the school is available during non-carpool operations periods.
- As an option for additional parking capacity, it is recommended that the school try to maintain parking in the lot across the street.

Overall Safety Considerations

- Commonwealth Academy will coordinate with the City of Alexandria to install appropriate school zone signs and additional speed limit signs along Leslie Avenue.
- Commonwealth Academy will provide staff on-site in front of the school to manage the AM and PM carpool operations.

- A crosswalk on Leslie Avenue from the school property to the parking lot across the street is recommended to promote clear pedestrian paths across the main school building to the designated parking area.
- All pick-up and drop-off operations will occur on-site curbside along the building and on the passenger side of the vehicles.

Enforcement and Community Coordination

- The STC will be the primary point of contact for all traffic and parking related community issues. The STC will maintain a log of calls and correspondence regarding all traffic and parking related community issues. This information will be provided to Commonwealth Academy on a regular basis, and the Board of Directors shall take appropriate action to address any outstanding traffic and parking issues.

CONCLUSION

Commonwealth Academy will displace existing office uses on the subject site and will generate 44 inbound vehicles in the AM peak hour and 29 outbound vehicles in the PM peak hour staggered over two half-hour periods in the morning and afternoon. These vehicles can be sufficiently accommodated within the existing roadway network and with the access and circulation plan proposed for this project. The implementation of the transportation management plan will help to facilitate safe and efficient carpool operations, provide policies for parking, promote ridesharing and alternative transportation modes, and integrate the operations of the school with the surrounding community.

Special Use Permit # 2006-0015

APPLICATION for SPECIAL USE PERMIT # _____

PROPERTY LOCATION: 1321 Leslie Avenue, Alexandria, Virginia

TAX MAP REFERENCE: 044.03 04 01 **ZONE:** CSL/Commercial Service Low

APPLICANT Name: Learning Foundation of Metropolitan Washington, Inc., doing business as
Commonwealth Academy

Address: 1321 Leslie Avenue, Alexandria, Virginia 22301

PROPERTY OWNER Name: 1321 Leslie Avenue Associates

Address: P. O. Box 34380, c/o Wharco Realty Group, Inc., Bethesda, MD 20827

PROPOSED USE: Amendment of Special Use Permit 2001-0093, to amend condition number 2 to increase the maximum number of student enrollment and to expand the existing private school into additional space.

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Land, Clark, Carroll, Mendelson & Blair, P.C.

Duncan W. Blair, Esquire

Print Name of Applicant or Agent



Signature

524 King Street

Mailing/Street Address

(703) 836-1000

Telephone #

(703) 549-3335

Fax #

dblair@landclark.com

Alexandria, Virginia 22314

City and State

Zip Code

February , 2006

Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (*check one*) ☐ the Owner ☐ Contract Purchaser
☒ Lessee or ☐ Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

The Applicant is a Virginia nonstock corporation.

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

☒ Yes. Provide proof of current City business license

☐ No. The agent shall obtain a business license prior to filing application, if required by the City Code.

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

See attached Plans.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

This is a request for an amendment to Special Use Permit #2001-0093 to expand the existing Commonwealth Academy premises of 14,000 square feet by an additional 5,000 square feet of floor area.

The additional floor area will be used for additional classrooms, offices, multi-purpose room and restroom facilities.

USE CHARACTERISTICS

4. The proposed special use permit request is for: *(check one)*

☐ a new use requiring a special use permit,

☐ a development special use permit,

☐ an expansion or change to an existing use without a special use permit,

☒ expansion or change to an existing use with a special use permit,

☐ other. Please describe: _____

5. Please describe the capacity of the proposed use:

- A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

The Applicant is requesting a maximum enrollment of fifty (50) students.

- B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

It is anticipated that the school's faculty and staff will increase by seven (7) teachers and staff as a result of the expansion of the school and increased enrollment.

6. Please describe the proposed hours and days of operation of the proposed use:

Day:

Hours:

No change from SUP #2001-0093.

7. Please describe any potential noise emanating from the proposed use:

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.

No change from SUP #2001-0093.

B. How will the noise from patrons be controlled?

No change from SUP #2001-0093.

8. Describe any potential odors emanating from the proposed use and plans to control them:

No change from SUP #2001-0093.

9. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

No change from SUP #2001-0093.

B. How much trash and garbage will be generated by the use?

No change from SUP #2001-0093.

C. How often will trash be collected?

No change from SUP #2001-0093.

D. How will you prevent littering on the property, streets and nearby properties?

No change from SUP #2001-0093.

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

☒ Yes. ☐ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

No change from SUP #2001-0093.

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

☒ Yes. ☐ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

No change from SUP #2001-0093.

12. What methods are proposed to ensure the safety of residents, employees and patrons?

No change from SUP #2001-0093.

ALCOHOL SALES

13. Will the proposed use include the sale of beer, wine, or mixed drinks?

☐ Yes. ☒ No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

14. Please provide information regarding the availability of off-street parking:

- A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

Pursuant to §8-200(A) of the Ordinance, one parking space is required for each 10 classroom seats. There are sixteen onsite parking spaces.

- B. How many parking spaces of each type are provided for the proposed use:

 8 Standard spaces
 7 Compact spaces
 1 Handicapped accessible spaces.
 Other.

- C. Where is required parking located? ☐ on-site ☒ off-site (check one)

If the required parking will be located off-site, where will it be located:

Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

15. Please provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? **No change from SUP #2001-0093.**
- B. How many loading spaces are available for the use? **No change from SUP #2001-0093.**
- C. Where are off-street loading facilities located? **No change from SUP #2001-0093.**
- D. During what hours of the day do you expect loading/unloading operations to occur?

No change from SUP #2001-0093.

- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

No change from SUP #2001-0093.

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☒ Yes ☐ No

Do you propose to construct an addition to the building? ☐ Yes ☒ No

How large will the addition be? N/A square feet.

Special Use Permit # 2006-0015

18. What will the total area occupied by the proposed use be?

14,000 sq. ft. (existing) + 5,000 sq. ft. (addition if any) = 19,000 sq. ft. (total)

19. The proposed use is located in: (*check one*)

☐ a stand alone building ☐ a house located in a residential zone ☐ a warehouse

☐ a shopping center. Please provide name of the center: _____

☒ an office building. Please provide name of the building: _____

☐ other, please describe:

Handwritten note in top right corner: SUP 2000

Street names and labels on the plan:

- MT VERNON AV
- E. MONROE AV
- E. NELSON AV
- E. ALEXANDER AV
- LEHIGH AV
- CDD #10
- N.T.C.
- EXPANSION
- EXISTING SITE
- RECREATION YARD
- ADJACENT PROPERTY

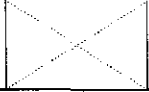
Zoning codes and lot labels:

- R2-S
- R2-4
- R2-5
- R2-6

 $\geq \Delta$

51 00-9002 dhs

COMMONWEALTH

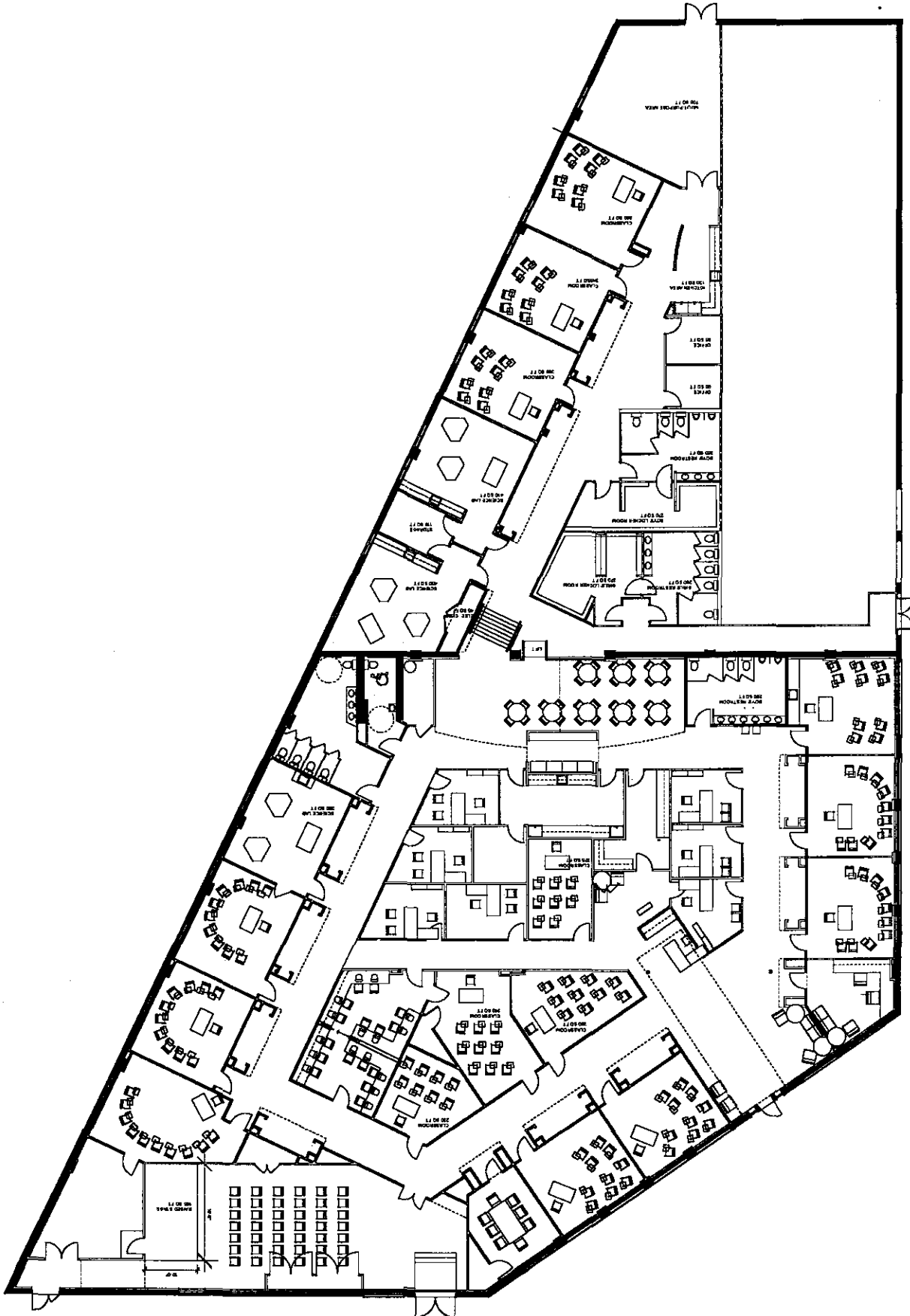


Commonwealth Academy
1321 Leslie Avenue
Alexandria, VA 22301

06049
15 SHEETS



Expansion
SK-1



Del Ray Citizens Association

PO Box 2233

Alexandria VA 22301

Established 1954

To: Eileen Fogarty, Director, Office of Planning and Zoning
Members of Alexandria Planning Commission

From: Amy Slack, Land Use Committee Co-Chair
Sarah Haut, Land Use Committee Co-Chair PC Docket Item(s) # 3
Laurie MacNamara, President Case # SuP 2006-0015

Date: May 3, 2006

Subject: Special Use Permit #2006-0015
Learning Foundations of Metropolitan Washington, Inc. d/b/a
Commonwealth Academy by Duncan Blair
Zoned CSL/Commercial Service Low

Ms. Diane Horvat and Mr. Duncan Blair, attorney for the applicant, attended the Land Use committee meeting on March 16, 2006 to discuss an amendment of the Academy's SUP to enlarge the subject private school and increase the enrollment cap. The enlargement requires a change in use of 4,000 square feet of a warehouse contiguous to the school. The current cap of 100 middle and high school students would increase to 100 high school and 50 middle school students. The school is used year round. In addition to regular classes between 7:30 AM to 3:45 PM, the school hosts after school activities, after school care, evening events and during the summer months, the YMCA holds its 'Computer Camp'.

Following this meeting, flyers were distributed to the immediate neighbors and the item was announced in the Association newsletter. The site was observed numerous times during daytime and evening hours and at arrival/departure times. Interviews were conducted with employees of adjacent businesses concerning the parking and operation habits of the school.

Contrary to staff, we observed and/or confirmed several operations which give rise to concern.

- An unscreened dumpster is located off-site and in a lot zoned RB adjacent to residences.
- In lieu of the fencing or hedge prescribed in condition # 8, five cube-shaped, concrete planters with ornamental grasses are used to 'screen' the parking lot.
- School staff was not present to oversee operations during the morning arrival period.
- Students were discharged in the southbound travel lane.
- Traffic cones used to designate a small drop-off site were removed prematurely.
- Vehicular movements through the intersection cross into the oncoming travel lanes.
- Vehicles parked in front of the school and in the intersection impede legal vehicular movements.
- Parents must 'double park' along Leslie Avenue during departure times.

The LU committee and the Executive Board support the application with the following conditions:

- All trash receptacles or dumpsters shall be located on site. Dumpsters shall be screen from view.
- Five planters used to screen the parking lot shall be planted with small trees and under plantings or seasonal display plantings.
- The applicant shall execute elements as referenced by staff and recommended in the Gorove/Slade, Associates Traffic Summary and Transportation Management Plan:
 - "It is recommended that parking in front of the school be restricted from 7:30 AM - 8:30 AM and from 2:30 PM - 3:45 PM, which corresponds to the peak morning and afternoon periods, in order to maximize the available frontage on Leslie Avenue."
 - "Commonwealth Academy will provide staff on-site in front of the school to manage AM and PM carpool operations."
 - "Commonwealth Academy will coordinate with the City of Alexandria to install appropriate school zone signs and additional speed limit signs along Leslie Avenue."
 - "A crosswalk on Leslie Avenue from the school property to the parking lot across the street is recommended to promote clear pedestrian paths across the main school building to the designated parking area."
 - "All pick-up and drop-off operations will occur on-site curbside along the building and on the passenger side of the vehicles."
- In addition, we request the following measures be taken by the City:
 - Installation of two additional crosswalks in order to create a 'box effect' delineating the intersection.
 - 'No Parking Anytime' signs be installed within the intersection, from the main entrance heading south 50 feet.
 - Installation of a center-line stripe to emphasize travel lanes through the Leslie Avenue radius as it intersects with Alexandria Avenue.
 - Replacement of a missing 'No Parking' sign at the curb cut in front of 1406 Leslie Avenue.
 - Removal of a portion of the 'No Parking' restrictions on Leslie Avenue adjacent to the vacant lot used for parking by school staff and students.

We request your support for this position and welcome your questions and comments. Please feel free to contact President Laurie MacNamara at 703-519-9410, Second Vice President David Fromm at alsdmf@earthlink.net, Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060.

Del Ray Citizens Association

4
5-20-06

PO Box 2233

Alexandria VA 22301

Established 1954

To: Mayor Euille and Honorable Members of City Council
Eileen Fogarty, Director, Office of Planning and Zoning
Rich Baier, Director of Transportation and Environmental Services

From: Laurie MacNamara, President
Amy Slack, Land Use committee Co-chair
Sarah Haut, Land Use committee Co-chair

Date: May 18, 2006

Subject: SUP#2006-0015, Learning Foundation of Metropolitan Washington, Inc.
d/b/a Commonwealth Academy at 1321 Leslie Avenue.
Consideration of a request for a special use permit for a change of use
to expand a private academic school into adjacent warehouse space.
Zoned: CSL
Applicant: Duncan Blair

At our regular meeting of May 8, 2005, the membership voted in confidence of the recommendation to support the application with conditions as published in the most recent newsletter. (Attachment A)

We request your support for this position and welcome your questions and comments. Please feel free to contact President Laurie MacNamara at 703-519-9410 and Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060.

As shown in Slide # 3, the Traffic Summary and Transportation Management Plan dated 9.28.01 and referenced in the Special Use Permit, conditions #3 and #4, recommend that Commonwealth Academy implement improvements that relate directly to the change of use from warehouse to private school. Namely; crosswalks, student loading area designated by signs, school zone signs, and additional speed limit signs.

DRCA requests all of the recommended improvements be required as a condition of SUP # 2006-0015.

Our reasoning: In comparing this school with other schools, public and private, most schools have in common the recommended school oriented pedestrian safety features in addition to no parking anytime at the main entrance.

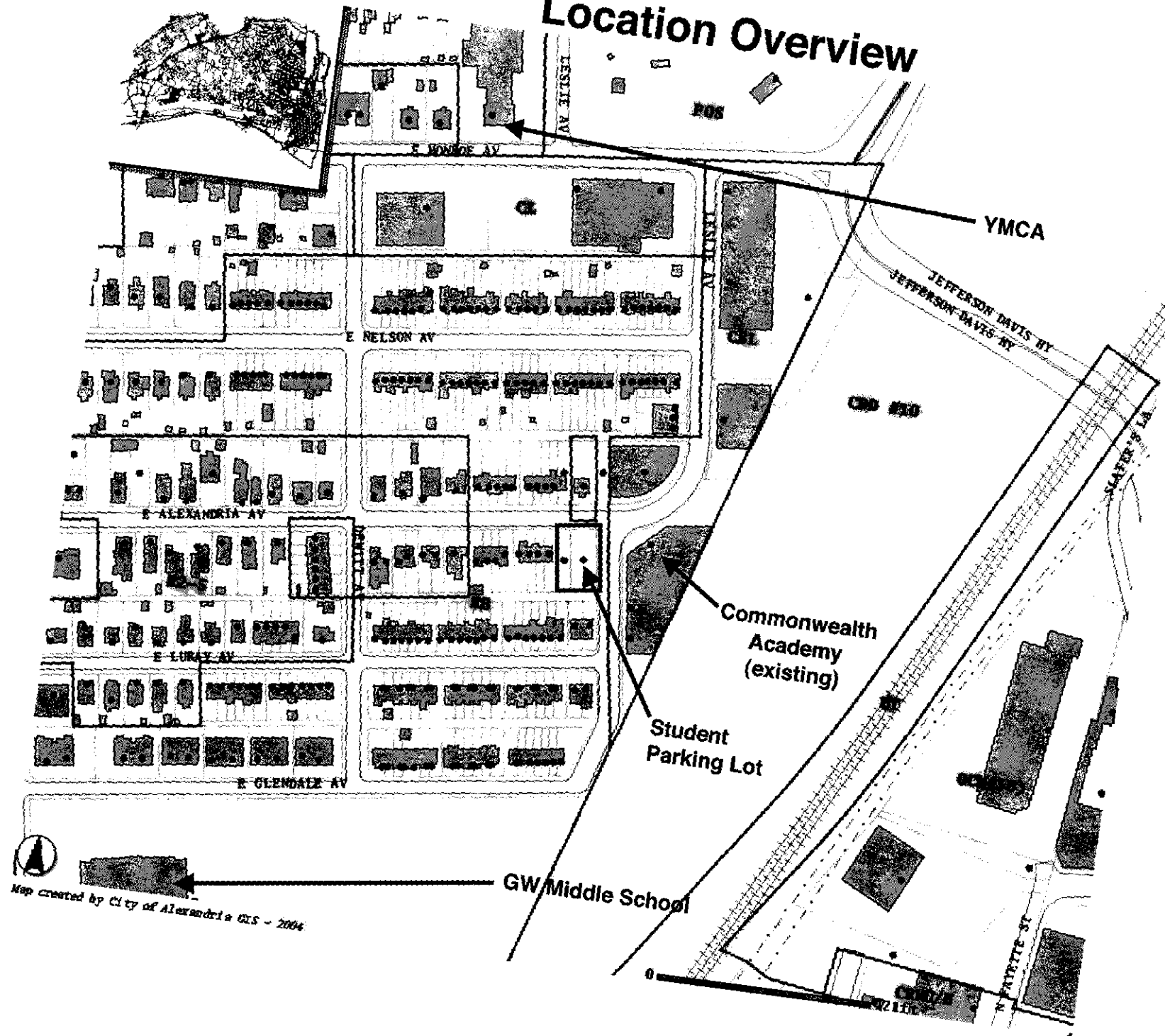
- Leslie Avenue is broad and carries a fair amount of traffic during the mornings drop off period that crosses over the roadway centerline. The school has grown much faster than anticipated and so the volume of school generated traffic will likely increase significantly in the near future. The school is a 'pedestrian generator'; children walk to and from it and the YMCA at various times of the day and year. The intersection of Leslie and Alexandria Avenues where the school is located, is atypical and the vision clearance is often obstructed by large commercial vehicles. Traffic patterns associated with the Monroe Avenue Bridge construction may well impact this intersection by increases of cut through traffic.

As shown in Slide 4, DRCA also requests installation of 'No Parking Between Signs' approaching the school entrance, additional crosswalks, striping of the roadway centerline, and replacement of the 'No Parking' sign, missing from in front of 1406 Leslie Avenue, to augment traffic study recommendations. In addition, we request removal of a dumpster related to the school building from the student parking lot.

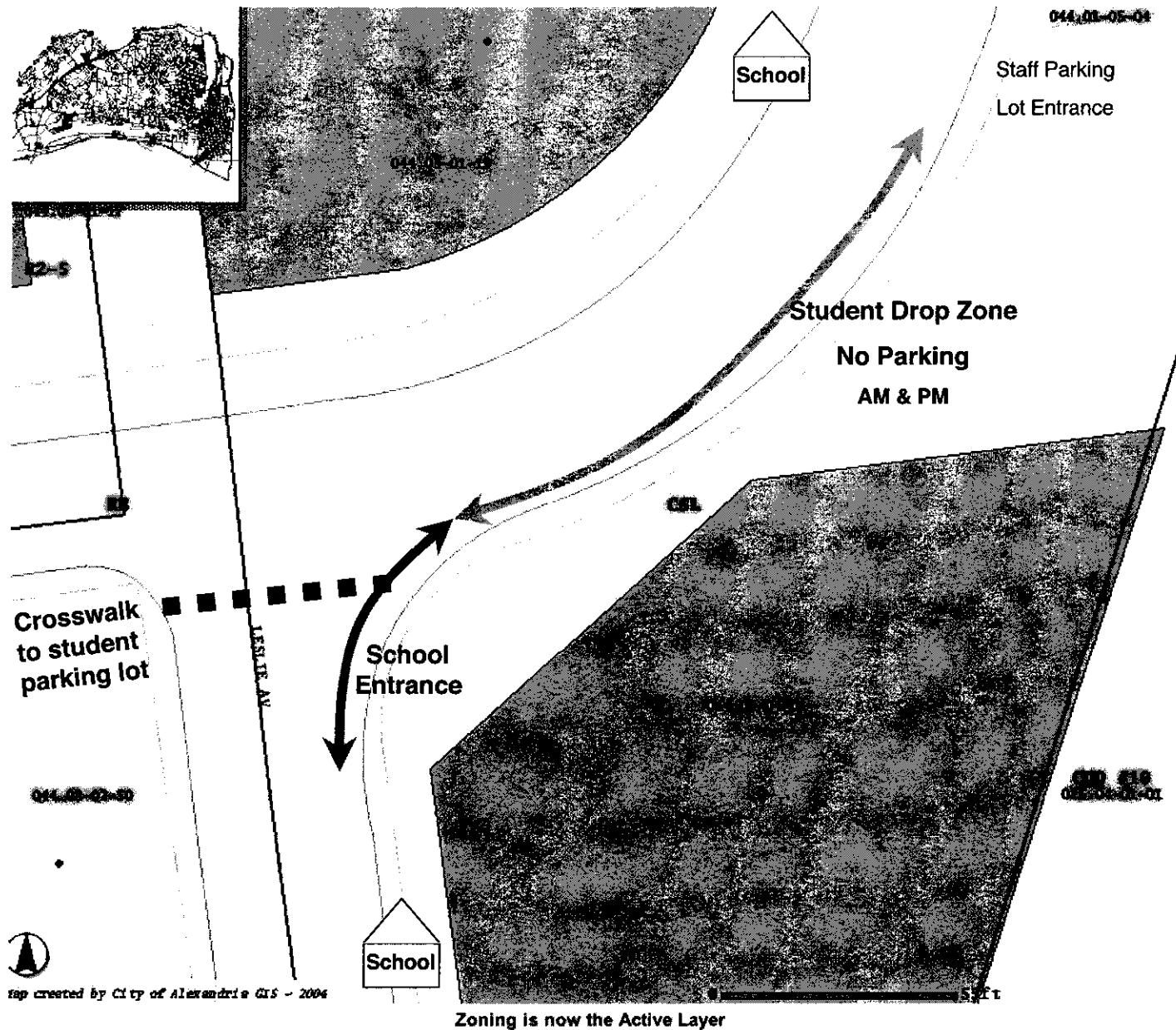
Slide 6 shows the cumulative result of our request after consultation with T&ES.

We ask City Council to direct the applicant and staff to take steps necessary to implement the measures portrayed in Slide 6.

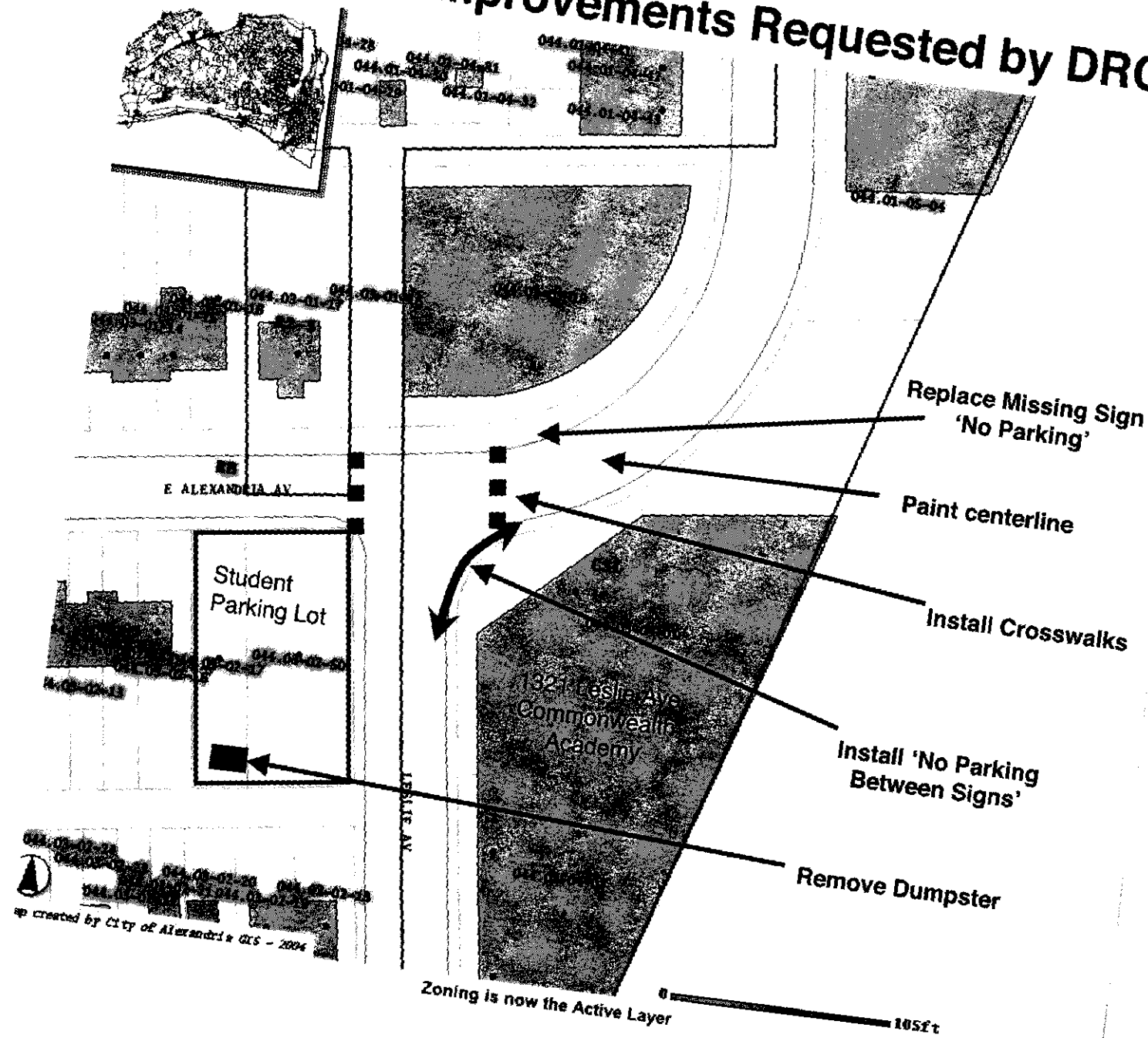
Location Overview



Improvements Recommended In Traffic Study



Additional Improvements Requested by DRCA



Consultation with T&ES determined that some of our request were reasonable. They expressed willingness to recommend implementation as a condition of SUP #2006-0015.

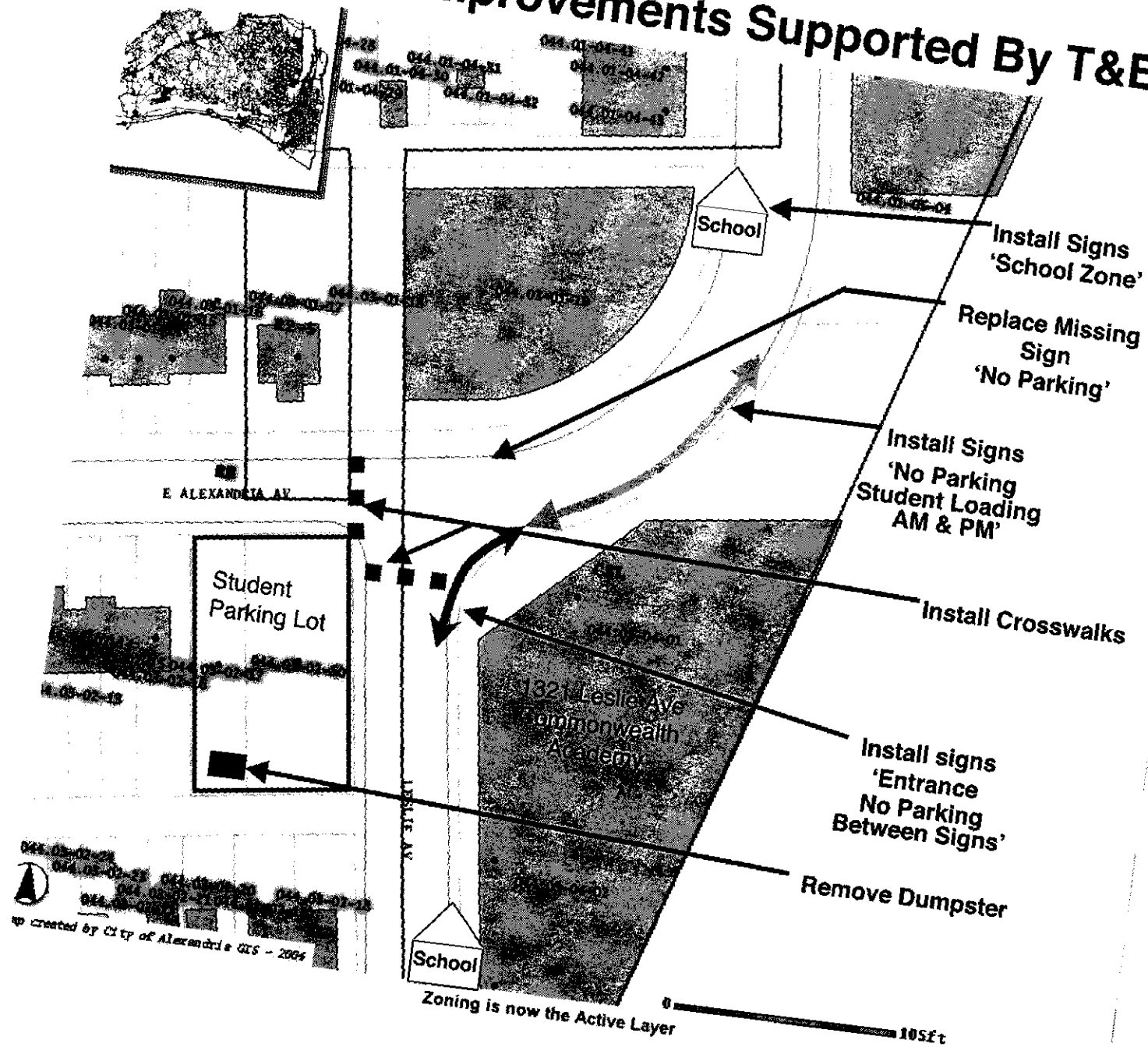
- A crosswalk from the school entrance to the student parking lot at Alexandria and Leslie Avenues.
- Installation of signs prohibiting parking at the school entrance.
- Installation of signs prohibiting parking during student loading. Monday - Friday, 7:15 AM to 8:45 AM and 2:30 PM to 4:00 PM should give the school flexibility for the required staggered arrival and departures times.
- Signs posted designating the 'School Zone'.

And support our request of the following items:

- A crosswalk across Alexandria Avenue originating from the student parking lot at Alexandria and Leslie Avenues.
- Removal of a dumpster located in the student parking lot, zoned RB/Residential Townhouse and adjacent to residential property.
- Replacement of a missing sign prohibiting parking in front of 1406 Leslie Avenue.

We ask City Council to direct the applicant and staff to take steps necessary to implement the measures portrayed in Slide 6.

Requested Improvements Supported By T&ES



SPEAKER'S FORM

DOCKET ITEM NO. 4

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM**

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Duncan Blair
2. ADDRESS: 524 King St, Alexandria VA 22314
- TELEPHONE NO. 703-836-1000 E-MAIL ADDRESS: dblair@landclark.com
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? Learning Foundation of Metropolitan Washington, Inc.
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: ☒ AGAINST: ☐ OTHER: ☐
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
attorney
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?
YES ☒ NO ☐

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- (a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the city clerk.
- (b) No speaker will be allowed more than three minutes; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.
- (c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor will organize speaker requests by subject or position, and allocated appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.
- (d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order of their request forms' submission.
- (e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

Special Use Permit # 2006-0015

APPLICATION for SPECIAL USE PERMIT # _____

PROPERTY LOCATION: **1321 Leslie Avenue, Alexandria, Virginia**

TAX MAP REFERENCE: **044.03 04 01** ZONE: **CSL/Commercial Service Low**

APPLICANT Name: **Learning Foundation of Metropolitan Washington, Inc., doing business as Commonwealth Academy**

Address: **1321 Leslie Avenue, Alexandria, Virginia 22301**

PROPERTY OWNER Name: **1321 Leslie Avenue Associates**

Address: **P. O. Box 34380, c/o Wharco Realty Group, Inc., Bethesda, MD 20827**

PROPOSED USE: **Amendment of Special Use Permit 2001-0093, to amend condition number 2 to increase the maximum number of student enrollment and to expand the existing private school into additional space.**

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Land, Clark, Carroll, Mendelson & Blair, P.C.

Duncan W. Blair, Esquire

Print Name of Applicant or Agent



Signature

524 King Street

Mailing/Street Address

(703) 836-1000

Telephone #

(703) 549-3335

Fax #

dblair@landclark.com

Alexandria, Virginia 22314

City and State Zip Code

February , 2006

Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: By unanimous consent, recommended approval 6-0 5/4/06

ACTION - CITY COUNCIL: 5/20/06 - CC approved the PC recommendation 7-0